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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,972	06/20/2003	Yuka Yamada	MAT-8430US	6554
23122	7590	01/12/2007	EXAMINER	
RATNERPRESTIA P O BOX 980 VALLEY FORGE, PA 19482-0980			COLIN, CARL G	
			ART UNIT	PAPER NUMBER
			2136	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/12/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/600,972	Applicant(s) YAMADA ET AL.	
	Examiner Carl Colin	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date see att.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Pursuant to USC 131, claims 1-30 are presented for examination.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 6/20/2003 is being considered by the examiner, and a PTO-Form 1449 has been initialed and signed by the Examiner accordingly.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,453,687 to **Sharood et al.**

As per claim 1, **Sharood et al** discloses a network system comprising: a home network comprising a gateway 105, a control server 100, and plurality of appliances and connected to service providers through the Internet (see figure 1), the service providers may remotely monitor appliances, usage, security within the home as well as providing new applications and upgrades through the Internet (see column 4, lines 1-5 and lines 34-47) that meets the recitation of *an Internet connecting section* (Internet network coupled to the provider) *for architecting a connection environment to the Internet on a home network system having a home server* (gateway 105, a control server 100) *and a plurality of Web terminals* (190, 132, 135), *and a network security managing section* (service providers) *for architecting a network security system to the home server; the network security system being architected by a provider.*

As per claim 16, **Sharood et al** discloses a network system comprising: a home network comprising a gateway 105, a control server 100, and plurality of appliances and connected to service providers through the Internet (see figure 1), the service providers may remotely monitor appliances, usage, security within the home as well as providing new applications and upgrades through the Internet (see column 4, lines 1-5 and lines 34-47) that meets the recitation of *an Internet connecting section* (Internet network coupled to the provider) *for architecting a connection environment of a Web terminal* (gateway 105, a control server 100, 190, 132, 135), *to the Internet and a network security managing section* (service providers) *for architecting a*

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network security system to the web terminal; the network security system being architected by a provider.

As per claims 2 and 17, **Sharood et al** discloses *wherein the plurality of Web terminals is any selected from a personal computer, a television receiver and a home electronic appliance* (see column 4, lines 1-5 and lines 10-25).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-8, 10-14, 18-23, and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,453,687 to **Sharood et al** in view of US Patent Publication 2004/0006586 to **Melchione et al**.

As per claims 3 and 18, **Sharood et al** substantially discloses *wherein the network security system includes at least a firewall* (see column 19, lines 20-21 and lines 33-37).

Sharood et al is concerned about security disclosing a firewall protection against unauthorized access as disclosed above, but is silent about the network security system includes in addition to a firewall an *anti-virus software*. However, **Melchione et al** in an analogous art teaches an application service provider data center providing application services (see page 3, paragraph 58) to a customer or group of administered devices (see page 3, paragraphs 49, 54-55). **Melchione et al** further discloses firewall and anti-virus software as examples of application services administered by the provider (see page 3, paragraph 58 and page 14, paragraph 212) including update to the anti-virus software (see page 3, paragraphs 196 and 199). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of **Sharood et al** to also include *anti-virus software* as part of the network security system of **Sharood et al** as taught by **Melchione et al**. One of ordinary skill in the art would have been lead to do so because since the appliances are exposed over a public network such as the Internet using *anti-virus software* would provide additional protection against potential threats such as viruses as suggested by **Melchione et al** (see paragraphs 197-199 and 212).

As per claims 4, 6, 19, and 21, **Sharood et al** discloses the web terminals are connected to service providers and new applications and upgrades of existing software can be obtained through the Internet (see column 4, lines 1-5 and lines 34-47), but does not explicitly state upgrading the firewall. However, **Melchione et al** in an analogous art teaches an application service provider data center providing application services (paragraph 58) to a customer or group

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of administered devices (see page 3, paragraphs 49, 54-55). **Melchione et al** further discloses anti-virus software as one of the application services by the provider including updating to the anti-virus software (see page 3, paragraphs 196 and 199) and providing information for updating the firewall (see page 14, paragraphs 201 and 204). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of **Sharood et al** to provide update to the anti-virus software as well as to provide information for updating the firewall as taught by **Melchione et al**. One of ordinary skill in the art would have been lead to do so because as known in the art the anti-virus software needs to be updated periodically to acquire new virus data or signatures, otherwise if it is outdated it will not be efficient with new threats as suggested by **Melchione et al** (see paragraphs 197-199).

As per claims 5 and 20, the references as combined above disclose the claimed system of claims 5 and 19. **Sharood et al** further discloses service providers may remotely monitor security within the home (see column 4, lines 34-47) that meets the recitation of *wherein network security managing section is to provide an optional service for security check*.

As per claims 7 and 22, **Sharood et al** substantially discloses the claimed system of claims 1 and 16. **Sharood et al** does not explicitly disclose an optional service for getting different connection speed based on a network parameter. However, **Melchione et al** in an analogous art teaches various functionalities between devices and application service provider data center wherein an agent can query the provider for software to be installed (see page 1, paragraph 13 and page 10, paragraphs 148-149). **Melchione et al** discloses network address

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translator for addressing network parameter in file sharing and using high speed link (see page 7, paragraphs 105-107) and further discloses the server may return a list of several places where the software can be obtained, since the available bandwidth is different depending on which server or network address the device chooses, the connection speed will be affected (see page 4, paragraph 71 and page 10, paragraph 150) that meets the recitation of *wherein the provider is further to provide for proxy, an optional service for adjusting, a network parameter of a best-effort connecting service that connection speed varies depending upon a network parameter on the Web terminal* as interpreted by Examiner. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of **Sharood et al** to provide the option of connection speed that varies because it would balance the load at the data center or provider; “a network traffic bottleneck at the data center can be reduced” as suggested by **Melchione et al** (see page 10, paragraph 150).

As per claims 8 and 23, the references as combined above disclose the claimed system of claims 1 and 16. **Melchione et al** discloses monitoring for producing reports of virus infection including configuration and installation of software and automatically updating (see page 14, paragraph 212) and further discloses multiple available proxy servers can be helpful in case one proxy fails (see page 13, paragraph 189) that meets the recitation of *wherein the provider is further to provide an optional service for restoring, for proxy, from a failure in the event of a failure on the network system caused due to new or unknown security hole or virus*. The availability of other proxy servers in case of failure of a proxy as interpreted by Examiner is an optional service for restoring for proxy from an unknown security hole. Therefore, it would have

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been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of **Sharood et al** to provide way for restoring in case of failure as suggested by **Melchione et al** (see page 13, paragraphs 189-190) so as to keep the network functioning.

As per claims 10 and 25, **Melchione et al** further discloses billing for application services so that the customer provides compensation to the service provider for the services (see page 4, paragraphs 62-63). It would have been obvious to one of ordinary skill in the art to modify **Sharood et al** to bill the user such as providing monthly subscription as disclosed by **Melchione et al** so as to compensate the service provider for the application services (see page 4, paragraph 63).

As per claims 11-14 and 26-29 these claims recite similar limitations as claims 5-9 and 20-24 respectively except for charging (make a bill) for the services disclosed in the rejection of claims 5-9 and 20-24, **Melchione et al** further discloses billing for application services so that the customer provides compensation to the service provider for the services (see page 4, paragraphs 62-63) and suggests a contractual agreement by paying a monthly fee to acquire access to the application services (see page 14, paragraph 201). Therefore, it would have been obvious to one of ordinary skill in the art to modify the system of **Sharood et al** to bill the user for the services listed in claims 5-9 and 20-24 as suggested by **Melchione et al** above so as to compensate the service provider such as providing monthly subscription for the application services (see page 4, paragraph 63 and page 14, paragraph 201).

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5. **Claims 9, 15, 24, and 30** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,453,687 to **Sharood et al** in view of US Patent 6,542,897 to **Lee**.

As per claims 9 and 24, **Sharood et al** discloses the claimed system of claims 1 and 16. **Sharood et al** suggests service companies to offer remote monitoring facilities to reduce the cost of repairs for all such connected appliances (see column 25, lines 15-20). **Sharood et al** does not explicitly disclose an optional service for a user to take a commentary lecture on network security, which is interpreted as an on-line help or support documentation on the connected appliances. **Lee** in an analogous art teaches providing customer support service with respect to a customer product using the Internet including on-line help and documentation with respect to specific client support services (see abstract and column 2, lines 30-58; figures 4, 6, and 13-15). **Lee** further discloses (column 1, line 48 through column 2, line 15) several prior art documents for providing on-line help and documentation with respect to specific client support services to reduce product support costs and improve customer satisfaction. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of **Sharood et al** to provide to the user an optional service, referring the user to on-line documentation or on-line help with respect to connected network devices as suggested by **Lee** because the additional support service would ensure high level customer satisfaction and minimize after-service cost as suggested by **Lee** (see column 2, lines 10-15).

As per claims 15 and 30, the references as combined above disclose the claimed system of claims 9 and 24. **Lee** discloses an improvement to reduce service costs. It is apparent that the

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service proposed by Lee can be offered for a small service charge since it is faster and ensure a higher level of customer satisfaction than prior services. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to bill for the support service as disclosed in Lee so as to compensate the provider and allow the service to be maintained.

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as the art teaches many of the claimed features regarding services provided to users over the Internet. (see PTO-Form 892).

6.1 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl Colin whose telephone number is 571-272-3862. The examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from

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a USPTO Customer Service Representative or access to the automated information system, call
800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Carl Colin

Patent Examiner

January 8, 2007